

CITY OF KANKAKEE
PLANNING BOARD

REPORT OF PROCEEDINGS had at the
hearing of the City of Kankakee Planning Board,
held at City Council Chambers, 385 East Oak
Street, Kankakee, Illinois, on the 9 day of
September, 2014, at the hour of 7:04 o'clock p.m.

PRESENT:

MS. LORETTO COWHIG, Chairperson

MR. CLIFFORD M. CROSS, City Planner

MS. CAROLE S. FRANKE, Member

MS. DEBRA TERRILL, Member

MR. RALPH "CHIP" ROREM, Member

MR. WILLIE AMES, Member

MR. EDWIN ECKHARDT, Member

Reported by: DIANA DEBRA SABO, CSR

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MARILYNN MROZYNSKI, CSR
(815) 935-0545

1 (The following proceedings were
2 had.)

3 MS. COWHIG: I'll call this meeting to
4 order.

5 Mr. Cross, will you call the roll,
6 please.

7 MR. CROSS: I will.

8 Edwin Eckhardt?

9 MR. ECKHARDT: Here.

10 MR. CROSS: Carol Franke?

11 MS. FRANKE: Here.

12 MR. CROSS: Marsha Lloyd? Berry
13 McCracken? Debra Terrill?

14 MS. TERRILL: Here.

15 MR. CROSS: Chip Rorem?

16 MR. ROREM: Here.

17 MR. CROSS: Willie Ames?

18 MR. AMES: Here.

19 MR. CROSS: Loretto Cowhig?

20 MS. COWHIG: Here.

21 MR. CROSS: We have a quorum.

1 MS. COWHIG: The minutes are not yet
2 ready because the meeting was so recently held.
3 So we'll consider those at our next meeting.

4 MR. CROSS: Yeah, you should have two
5 sets, possibly three sets of minutes at the next
6 meeting. If you recall, we had the regular
7 meeting last month and a special meeting. I do
8 have the regular meeting minutes from the 19th
9 already. I did get them, but we are -- between
10 Nancy Smithberg and myself, we are completing the
11 minutes off the recording when Mr. Bohlen was
12 here. Those should be ready. They're just about
13 ready. The goal is to bring those before you at
14 the next meeting. If we have our meeting next
15 week, which it does look like we are going to
16 potentially have another meeting next week -- and
17 I am sorry guys. Hopefully, these special call
18 meetings will slow down -- the two sets will be
19 available next week.

20 MS. COWHIG: Do we have any
21 communications?

1 MR. CROSS: Just to tie in that we
2 still -- looks like we are going to be meeting
3 next week if -- I did have one application made.
4 I am going to talk to the applicant about some of
5 the specifics of the application, and it's their
6 choice whether or not they want to continue to
7 pursue it.

8 But as of right now, you should be
9 having the packets reach you. They will be going
10 out either late tomorrow or first thing Thursday
11 morning where you have them by Friday or Saturday
12 at the latest for next Tuesday.

13 MS. COWHIG: And there are no city
14 council actions to report. So that brings us to
15 unfinished business.

16 MR. CROSS: There is one city council
17 action that will be coming up. Next Tuesday, if
18 you recall, the design standards proposed
19 amendments that we had proposed a couple months
20 back went to the council. They had actually -- I
21 believe they had tabled it, and then they had

1 voted to make it more of a guideline that went
2 back before the ordinance committee, and the
3 ordinance committee did review it. And I think
4 they realized what the true intent of those design
5 standards were.

6 Long story short, that is going to
7 go back before council for final approval of your
8 recommendations --

9 MS. COWHIG: Okay.

10 MR. CROSS: -- next week.

11 MS. COWHIG: Under unfinished business we
12 have Case No. 14-10. This is a request for a
13 variance at 667 South Harrison, and the variance
14 is to reduce the standard rear and side yard
15 setbacks to allow construction of a garage. We
16 tabled this two weeks ago so that we could all
17 look at the property.

18 Do you have questions, comments?

19 MR. CROSS: I actually made a -- took the
20 plat of survey wherein I did some measurements and
21 drew in some projections of what I understood the

1 applicant was actually looking to do in terms of
2 the garage in relation to the original request and
3 then the parking area that we discussed and how it
4 would impact the incoming traffic. You know, if a
5 car was outside of the doorway, how it would
6 impact any traffic coming into the apartment
7 complex, that is, to the -- I guess that be to the
8 west of the property. So I did draw up a plat of
9 survey that I am going to hand around.

10 And in speaking with the applicant,
11 she had indicated that her proposed -- she's
12 reducing her request for the garage size to
13 22-foot deep and 24-foot wide as opposed to the
14 original 24, 24. So I just drew in what that
15 would look like based on the measurements that I
16 took, and I can explain how everything is marked
17 on here.

18 And like I said, this is just me.
19 This is not any surveys or anything. This is just
20 to give you a frame of reference of what we have
21 got, and I'd be happy to explain what we got to

1 the best of my ability and it may be easier to ask
2 the applicant.

3 Basically, if you look at the plat
4 of survey, the proposed garage was to be on the
5 south. I guess that would be the southwest corner
6 of the property. And what I have drawn in there
7 is what looks like a 24 by 22 box which represents
8 the square footage of the garage. And basically,
9 it would abut, come up to the south property line,
10 and then it would be two feet away from the west
11 property line which is where the other garage on
12 the neighboring property is. So that would go out
13 roughly 22 feet.

14 If you had an additional 18 feet of
15 driveway area, an 18 by 24 driveway area to come
16 off she was proposing to park her garages, I think
17 it's important that -- and what I found, and this
18 is what I thought you were looking for, from the
19 edge of that concrete to the improved area of the
20 alley that curves into that multifamily apartment
21 complex, that would still provide an 18-foot

1 clearance for any traffic.

2 Does that make sense?

3 MR. ECKHARDT: I drove down there the
4 other day and I talked to a man quite a bit. And
5 I parked right -- just about right where his car
6 is at. It's easy to get down into, but the
7 problem is I asked him, I says, don't you have
8 trouble getting out of here?

9 He says, well, he says, you know,
10 sometimes. But he says he can back up and turn to
11 his right and go into the alley and kind of horse
12 around and get out.

13 MR. CROSS: Right. Well, what I -- I
14 thought what was important to note about that even
15 though this -- and it's misleading when you see
16 the alley. The alley says 30 feet. Well, that's
17 the actual alley width.

18 I also measured the improved surface
19 of the alley, and it was actually just a little
20 over 16 feet.

21 MR. ECKHARDT: Yeah.

1 MR. CROSS: So I guess the point I'm
2 making is the entryway into the apartment complex
3 still remains wider than the improved surface --

4 MR. ECKHARDT: Right.

5 MR. CROSS: -- of the alley.

6 MR. ECKHARDT: Yes.

7 MR. CROSS: And the one thing I noticed
8 when I backed out today was making sure -- and I
9 was lined up just about to where the garage
10 would -- I gave myself about a foot to where the
11 garage would actually stop.

12 MR. ECKHARDT: Yeah.

13 MR. CROSS: Was making sure, because I
14 was more concerned about you got the curb that
15 comes over and it's kind of a grade drop-off on
16 the other side of it. I was actually more worried
17 if I had a small car of cutting that too sharp and
18 hitting that. But really, the only person that
19 would incur that would be the applicant and not
20 any -- because that's coming off the back into it.

21

1 Now, I'm not -- I'm not -- I'm just
2 stating what I saw because I was asked to get the
3 measurements.

4 Whether you can fit a car in or out,
5 that's everybody's -- I'm just stating that the
6 improved area to access that apartment still
7 remains as wide as the alley, and that's what I
8 thought was what I needed to look at.

9 Now, it doesn't give the garbage
10 truck any place to turn around, but to be honest,
11 I don't know where -- how it changes it anyway.

12 MR. ECKHARDT: There was no trouble
13 getting in. The trouble is trying to get out.
14 But it wasn't that much where I parked. I backed
15 into it like where the apartment is. It cuts down
16 short right there.

17 MR. CROSS: Right.

18 And I think what she was talking
19 about doing was actually adding a step-out to the
20 east side of the paved area going towards her
21 house to where she would not back -- I guess it

1 would be where you would back out kind of right to
2 left.

3 MR. ECKHARDT: Yeah.

4 MR. CROSS: She would actually -- well,
5 she would back out. She'd turn left from the back
6 end of her car to turn her rear-end of her car
7 more towards her property.

8 MR. ECKHARDT: Well, yeah. Right.

9 MR. CROSS: That's -- that's just what I
10 saw.

11 The other thing I did notice if you
12 move the garage up and you move it up closer to
13 the house, you still got tricks for the applicant
14 backing out, because she really actually has not
15 much -- probably even less space to back up and
16 crank it out if the doors are to the -- facing the
17 west because of the concrete block that's back
18 there, block wall.

19 But like I said, that's up to -- I
20 just wanted to give you the numbers and what I
21 found to give you what I measured in terms of what

1 was there.

2 The other thing I think I need to
3 mention is required parking spaces. If you have a
4 90-degree parking space are roughly 10 by 19. So
5 she's -- the 18-foot parking area is in the
6 ballpark of the parking code; so whatever that
7 means. But those are the numbers from the zoning
8 ordinance and visiting the site.

9 MR. ROREM: Cliff, one thing I wanted to
10 point out and Deb and I were out there just before
11 the meeting, and we were looking at the -- at the
12 alley, and the end of the alley is deteriorating.

13 MR. CROSS: You could tell where there
14 was originally concrete that's kind of come out.

15 MR. ROREM: It's broken-up concrete.
16 It's been patched with asphalt, and the alley
17 itself slopes down from north to south to the
18 point where there's water coming at this -- at
19 this site.

20 MR. CROSS: Yes.

21 MR. ROREM: It's my understanding that

1 the applicant -- building permit is going to
2 require that be paved with an impervious surface.

3 MR. CROSS: Yes.

4 MR. ROREM: But the dilemma of the alley,
5 the deterioration of the alley continues on to the
6 north.

7 MR. CROSS: Yes.

8 MR. ROREM: And so you know, there's -- I
9 see some challenges here as far as the quality of
10 the alley as it relates to these improvements. I
11 don't know.

12 How do you look at that, you know --

13 MR. CROSS: I mean, from a building
14 standpoint, I can only enforce her -- or force her
15 to improve the surface area that services her
16 property and her driveway.

17 MR. ROREM: Uh-hum.

18 MR. CROSS: There are standards with --
19 what is it? -- the eight-inch base with a -- I
20 think it's like a two-inch improved concrete over
21 the top.

1 MR. ROREM: Four-inch.

2 MR. CROSS: Four-inch? Yeah, which is
3 something we would review, and it would have to be
4 approved as part of the permit.

5 Same thing with the slab of the
6 garage. One thing I noticed on the garage area is
7 you can tell where there's been runoff and there
8 is some serious erosion there and very soft, and
9 there's some grading issues that I did see present
10 which is going to require that she find a way to
11 address that and put a stable slab that's not
12 going to slide. I mean, you got floating slabs
13 and footed, but she's going -- she is going to
14 have some challenges when she pours the concrete.

15 MR. ROREM: Take that one step further.
16 One of the other things we run into is also the
17 requirement of having to worry about how water is
18 changed from the way it presently is to the way --

19 MR. CROSS: Uh-hum.

20 MR. ROREM: -- to the way it would be if
21 there were an improvement.

1 MR. CROSS: Correct.

2 MR. ROREM: If there is an improvement,
3 the flow of water's going to change.

4 MR. CROSS: Yes.

5 MR. ROREM: Because the water flow comes
6 from the public space onto the private space and
7 continues moving through the private space --

8 MR. AMES: Into --

9 MR. ROREM: -- into the next property.

10 MR. CROSS: Right.

11 MR. ROREM: If we put a garage at the end
12 of this alley, we will block the flow of that, but
13 it will not stop the fact that the water's going
14 to be coming down there. So that water's going to
15 end up moving onto the applicant's property and
16 then something is going to happen to it.

17 MR. CROSS: Yeah, it could. I mean,
18 she's going to have to design storm water somehow
19 to allow the water to continue to move through or
20 it's going to benefit her more than it is us
21 because if her garage is flooding, it's not doing

1 her any good.

2 MR. ROREM: There are a lot of acre feet
3 of water there attached to that 16-foot-wide alley
4 that goes back all the way to River Street.

5 MR. CROSS: Yeah, and without seeing
6 topography, I can't tell you how exactly how it
7 flows there.

8 I will say the one thing that I have
9 seen does -- the applicant does get quite a bit of
10 water. But I'll be honest, I think it's a
11 combination of things. I think it could be the
12 alley that's deteriorated or been risen so much
13 that you have water shooting off.

14 But the other thing, and this is not
15 a -- not anything the City can do about it. It's
16 an old building code. It's an old issue. The
17 garage of the neighboring property, even though
18 the wall is a couple feet off, there's an overhang
19 that basically comes to the edge of the property
20 line.

21 MR. ROREM: Uh-hum.

1 MR. CROSS: And there's no guttering on
2 the side of that.

3 MR. ROREM: Uh-hum.

4 MR. CROSS: And it's a pitched roof and
5 it clearly shoots water off towards her property.
6 I mean, you couldn't do that by today's code
7 but --

8 MR. ROREM: Right.

9 MR. CROSS: -- that's the whole point of
10 the setback. And that's obviously something she
11 would have to address being close to the property
12 line. Finding a way to get the water off the roof
13 of the garage, you know, putting guttering up to
14 where it shoots off into her property because she
15 cannot shoot it off into a neighboring property or
16 into the right of way. It's a violation of the
17 municipal code.

18 MR. ROREM: Bear with me. The more I
19 talk about it, the worse it gets in my head.

20 MR. CROSS: Okay.

21 MR. ROREM: Is that, you know, we have

1 this water coming down towards her garage. She
2 can't dump the water off to the west. She can
3 disperse it onto her own property.

4 MR. AMES: Yes.

5 MR. ROREM: She can give an opportunity
6 for it to move around her garage and continue on
7 should that be the case, but those are some
8 serious drainage issues.

9 There could also be a catchment of
10 some sort, but I think it's going to be very
11 difficult to have a catchment that isn't quite
12 expensive as far as what might happen, you know,
13 with water coming down there to be able to catch
14 it and redistribute it into a storm sewer.

15 MR. CROSS: Right.

16 MR. ROREM: And that's real expensive.

17 MR. CROSS: Yeah. I'm guessing there's
18 no designed runoff on any of them properties --

19 MR. ROREM: Uh-hum.

20 MR. CROSS: -- based on the time they
21 were constructed.

1 Today's codes, new subdivisions,
2 finished floor has to be, I think, 18 inches above
3 to where it runs down to, you know, to the curb --

4 MR. ROREM: Right.

5 MR. CROSS: -- where it catches it near
6 the storm sewer and takes it down to a detention
7 pond or whatever it may be. I think it's like
8 18 inches for every -- that's an engineering
9 question -- 18 inches for every 3 feet, whatever
10 it is. But you have to -- it has to be designed
11 slowly run it off your property without blowing
12 out the storm --

13 MR. ROREM: Yeah.

14 MR. CROSS: -- drain.

15 MR. ROREM: When you look at where this
16 garage is going around it, you'd have to go back
17 and bring it back to the way the water would
18 normally flow which means it would have to go out
19 and back onto where, in fact, the alley would have
20 been should it -- would it have gone all the way
21 through.

1 MR. CROSS: But I'll be honest, I don't
2 know that -- I mean, her property seems to be
3 elevated back there a little bit higher than the
4 neighboring property, but I don't know, you know,
5 if that runs off. Because in the back -- I don't
6 know. I just without doing it -- the way it's
7 raised, I don't know if that's acting as a berm
8 puddling it, if that's why she's getting erosion
9 issues, if it's differing it. I don't know.
10 Those are storm water study engineering calls.

11 MR. ROREM: And I know that there would
12 be -- if there is a change of water and somebody
13 has an issue with that, that's going to come up
14 and it's going to be lodged by the neighbors.

15 MR. CROSS: Sure.

16 MR. ROREM: It is a concern where the
17 water goes.

18 MR. CROSS: Yeah. Absolutely. I mean,
19 she could design something that could be an
20 opportunity for her to design something to run --
21 to improve it, but I don't -- like I said, that's

1 an engineering call.

2 MS. COWHIG: Currently the water -- pay
3 no attention to the property line -- just flows
4 onto the back of Hickock house property.

5 MR. ROREM: Right. Exactly.

6 MS. COWHIG: So if it were diverted to go
7 around this proposed garage, that is, around the
8 east side of it, it would still end up on the
9 Hickock property.

10 MR. ROREM: Maybe in a different place.

11 MS. COWHIG: Yes.

12 MR. CROSS: Yes.

13 MR. ROREM: And the way the water leaves
14 is just as important as preventing the water from
15 being changed. So consequently, it would have to
16 go back onto the vacated alley behind the Hickock
17 property.

18 MS. COWHIG: There never was an alley
19 there.

20 MR. ROREM: Right. But the water leaves
21 that way. What I am saying is it moves towards

1 the house as opposed to moving straight down the
2 alleyway. There's a change of the flow of water,
3 you know --

4 MS. COWHIG: True.

5 MR. ROREM: It's an emerging concern on
6 my part.

7 MS. TERRILL: My concerns remain the same
8 that they were two weeks ago. Between the snow
9 plows, the garbage trucks, the dumpster service,
10 not to mention the fire truck trying to get back
11 behind that apartment complex and there's
12 multifamily housing all around there, I just don't
13 see why we would make that any more congested than
14 it already is.

15 Also, all of these issues could be
16 avoided if the applicant would just place the
17 garage behind the house like every other garage
18 along the alley. No one else seems to have any
19 trouble turning into their garage.

20 So you know, this is a variance. We
21 have to prove a hardship and I don't see one.

1 MR. AMES: My sentiment's the same. I
2 don't see a hardship.

3 MS. COWHIG: But even without the
4 variance, she could build it in compliance with
5 the setbacks to the west and the south.

6 MS. TERRILL: Uh-hum.

7 MS. COWHIG: But that would make the area
8 that much more congested because it would be
9 chewing into the usable space on the north side of
10 the garage. The farther south you put the garage,
11 the more maneuvering room there is and the farther
12 west you put it, the more maneuvering room there
13 is.

14 MS. TERRILL: This situation seems to
15 have been created when the alley was vacated
16 without any forethought whatsoever apparently.

17 When was that done? What is the
18 history of this and can it be --

19 MR. CROSS: I've looked and I've never
20 been able to find it. I mean, it was long before
21 we recorded any alley vacations.

1 MS. COWHIG: We blame unidentified
2 people. We have no clue.

3 MS. TERRILL: Chip and I have suggested
4 to the applicant that perhaps there was an
5 opportunity to undo the vacation and then allow
6 the City to maintain the alley and thus putting
7 the burden back on the City.

8 And she said, no, that wasn't
9 anything that she was interested in doing.

10 I just -- there is -- I don't see
11 it. I don't see why we would do this.

12 And even if she does put it, I'm not
13 sure it would be any more of a burden for her to
14 place it five feet differently. I think it's six
15 one way and half a dozen the other.

16 MS. COWHIG: Uh-hum. Anyone else?

17 MS. FRANKE: Well, if it were placed
18 closer to the house, there would definitely be
19 more room to travel to turn the cars around in the
20 alley than it is right now.

21 MS. COWHIG: Closer to the house?

1 MS. FRANKE: That's what we are talking
2 about; right?

3 MS. TERRILL: Yes, aligned with the other
4 garages.

5 MS. FRANKE: Closer to the house, not --

6 MR. CROSS: If you put it directly flush
7 on the back of the house; correct?

8 MR. ROREM: Yeah.

9 MR. CROSS: If you bring it up simply
10 five feet in from the south property line and five
11 feet up from the rear property line, that's where
12 I was saying you still have only about -- you have
13 less backup space if it's on the south side.

14 MS. TERRILL: Right. I mean, I'm talking
15 about --

16 MR. CROSS: Because you're dealing with
17 the big concrete -- you're dealing with the
18 concrete garage from the neighboring property, the
19 potential of backing into that.

20 She actually has less space -- say
21 this is the house and I put the garage over on

1 this portion of the lot closer to the Hickock
2 house. Okay? But five-foot off the property
3 line, five-feet out. If I back up and I'm backing
4 out of the door and I'm turning this way, I'm
5 dealing with that back concrete --

6 MS. TERRILL: Why would she do that?

7 MR. CROSS: It would -- depending on
8 where you put your doors.

9 MS. TERRILL: Right. I don't say --

10 MR. CROSS: Yeah, if you put your doors
11 on the inside and run the drive in there, then,
12 yeah, it's a different story. You're backing it
13 up and you got -- but you still have that back up
14 into that back wall.

15 MS. TERRILL: But if the garage is
16 directly behind the house right in line with the
17 other garage --

18 MR. CROSS: Then you get -- that's what I
19 am saying.

20 MS. TERRILL: -- it solves all of the
21 problems.

1 MR. CROSS: Yeah, exactly. No, I'm not
2 saying -- but I know there was talk about moving
3 it up and closer to the garden and everything else
4 as well. I didn't -- you know, there's been
5 two -- there were two proposals. Do we put it on
6 this side? Do we put it right up on the house?
7 You know, it just depends on where you put it.

8 MR. ROREM: What we are looking at this
9 evening was there's a garage on the property to
10 the north.

11 MR. CROSS: Uh-hum.

12 MR. ROREM: What we are looking at as a
13 possibility say, okay. You can be within five
14 feet of the northern boundary of the property.

15 MS. COWHIG: Of the northern boundary.

16 MR. ROREM: Right. So if we move south
17 five feet --

18 MR. CROSS: Yes.

19 MR. ROREM: -- the closest without
20 variance it could be built.

21 MR. CROSS: Correct.

1 MR. ROREM: And then what we were saying
2 was, though, is that this property is 174/86.
3 Everybody else's property is right around 150.
4 She has the alley on her property.

5 MR. CROSS: Correct.

6 MR. ROREM: But if you take the property
7 line of the other property and project it down,
8 you know, the 140 -- the western property of Lots
9 11 and 10 in the case of this plat of survey and
10 then move in 5 feet from there --

11 MR. CROSS: Yeah.

12 MR. ROREM: -- that would align with the
13 garages that are in the alley already all the way
14 up to the --

15 MR. CROSS: Absolutely, and she's got
16 that extra backup space there. I was trying to
17 bring it to the south.

18 MR. ROREM: You know, and then it would
19 turn back out into the space where the garage is
20 proposed to be --

21 MR. CROSS: Right.

1 MR. ROREM: -- and then you'd drive north
2 from that point.

3 MR. CROSS: Yes.

4 MR. AMES: And she wouldn't need a
5 variance.

6 MR. CROSS: She would need a variance on
7 the north property; right? Or you're not
8 talking -- keeping it five foot in?

9 MR. AMES: No.

10 MR. ROREM: Wouldn't need a variance at
11 all.

12 MR. AMES: She wouldn't need a variance
13 at all.

14 MR. CROSS: So you'd still be your five
15 foot in off your north property line.

16 MR. AMES: Yes.

17 MR. CROSS: Got you.

18 MR. ROREM: But the amount of pavement
19 would increase.

20 MR. AMES: Yeah.

21 MR. ROREM: Because right now half of the

1 pavement that she's proposing is inside the
2 building and the other half would be outside the
3 building.

4 MR. CROSS: Right.

5 MR. ROREM: This way she would have all
6 of that plus the garage. So there possibly -- you
7 know, it be a larger --

8 MR. CROSS: A larger hardship. We talked
9 about that, yeah.

10 But looking back there, there really
11 is no hard space back there because it's all
12 broken up. You're right.

13 MR. ROREM: Uh-hum. It needs to be
14 completely redone.

15 MR. CROSS: Yes.

16 MS. COWHIG: Are you ready to act?

17 MS. TERRILL: I'd like to make a motion
18 on the Case of PB14-10, the application from --
19 the application requesting a major variance to
20 construct a garage within the required rear side
21 setbacks of the property commonly known as 667

1 South Harrison Avenue. I would like to move that
2 we recommend --

3 We don't go to city council with
4 this, do we?

5 MR. CROSS: No, we take action.

6 MS. TERRILL: I'd like to recommend
7 denial based on water issues, traffic issues, and
8 a lack of any hardship.

9 I don't think the variance can be
10 granted without substantial detriment to the
11 public good. I don't think the benefits of the
12 variance would substantially outweigh the
13 detriment. I think the variance would
14 substantially impair the intent and purposes of
15 the zoning ordinance. That's it.

16 MS. COWHIG: Is there a second?

17 MR. AMES: I second.

18 MS. COWHIG: Motion by Ms. Terrill.
19 Seconded by Mr. Ames to deny the request to
20 variance.

21

1 Is there any further discussion?

2 A yes vote is to deny.

3 Would you call the roll, please.

4 MR. CROSS: I will.

5 Edwin Eckhardt?

6 MR. ECKHARDT: Yes.

7 MR. CROSS: Carol Franke?

8 MS. FRANKE: Yes.

9 MR. CROSS: Marsha Lloyd? Berry

10 McCracken? Debra Terrill?

11 MS. TERRILL: Yes.

12 MR. CROSS: Chip Rorem?

13 MR. ROREM: Abstain.

14 MR. CROSS: Willie Ames?

15 MR. AMES: Yes.

16 MR. CROSS: Loretto Cowhig?

17 MS. COWHIG: No.

18 MR. CROSS: We have four -- just four for
19 denial, one against, one abstention. Motion is
20 denied. You can --

21 MS. COWHIG: Excuse me. The motion is

1 carried?

2 MR. CROSS: The motion is carried, yes,
3 yes. The request is denied, yup.

4 Bear in mind, you know, the
5 applicant or any aggrieved party has an
6 opportunity to appeal any decision of this
7 committee to go before the city council.

8 So I'll get in touch if you have any
9 questions, Miss Nenov.

10 MS. COWHIG: The new business case on our
11 agenda is No. 14-13. This is for property at 3182
12 South State Route 45/52. It is currently zoned
13 R-1 single-family home and the request is C-2
14 service commercial, and the applicants are Ron
15 O'Connor and the City of Kankakee.

16 MR. CROSS: Yes. I was authorized by the
17 applicant to make the application and represent
18 it, because quite honestly, this is something the
19 City has talked to the applicant about.

20 This is -- before I go into too much
21 detail, in short this is just a cleanup of a -- of

1 what we found to be a -- basically a spot-zoned
2 lot.

3 If you remember, back in 2004 the
4 City annexed in the Redwood property, and a lot of
5 people just remember it as the Redwood property
6 and that lot only.

7 But with that annexation, there were
8 actually multiple tracts which consisted of the
9 Redwood property and three individual residential
10 lots that were vacated that were along the
11 frontage road.

12 So long story short, there were four
13 different tracts that were annexed in as part of
14 that original Redwood annexation, and it was
15 Ordinance No. 2004-83 that you see a copy of the
16 plat of annexation that was included.

17 So if you look at that closely, the
18 lots that actually came in as part of that were 6,
19 8, 9 and Tract 2. So 6, 8, 9, and then there was
20 Tract 2 and Tract 1 which consisted of the Redwood
21 property.

1 The property we are talking about
2 tonight is actually Lot 7 that is in the middle of
3 those. It's actually the second lot down and the
4 four contiguous lots that you see to -- I guess
5 that would be to the -- you're thinking that's --
6 and that's always hard because the way that curve
7 comes around. But if the north is this, is the
8 top of your page, that would be the property to
9 the -- I guess that be to the east.

10 Lot 7 at that time was actually a
11 home, a single-family home that an individual
12 lived in, was employed by the City at that time,
13 but had actually been annexed in -- for those of
14 you have been on the planning board for years --
15 had already been annexed in back in 1998 as the
16 Seedorf property. I don't know if any of you
17 remember that.

18 MS. COWHIG: Uh-hum.

19 MR. CROSS: When that was annexed in,
20 that was annexed in as R-1. That was the zoning
21 that was assigned.

1 Well, that property's vacant.
2 Nobody lives there. It's long since gone. The
3 same owner owns all these properties, and he has
4 been in contact with folks about utilizing these
5 properties, and the clear use of these properties
6 based on the annexation back in '04 was for C-2
7 service commercial. So they're all C-2 with the
8 exception of Lot 7.

9 So in seeing this, the planning
10 department said, you know, we got to clean this
11 up.

12 And quite honestly, this was
13 probably our error. We should have approached the
14 property owner back then even if they resided in
15 it and said, you know, can we zone your property
16 C-2. It's not going to affect you any. You have
17 the nonconforming provisions.

18 The only drawback back then was we
19 had the 100 percent rebuild provisions for single
20 families that was not in place where it is now.
21 You remember, we got an amendment to that back in

1 '07 or '08.

2 But since it is vacant, it is
3 grouped in with all these -- the logical choice is
4 to clean that up and make that a presentable lot
5 for future commercial development which is what
6 it's being focused on for.

7 So that's why we are asking for this
8 rezoning, just to bring an individually R-1 zoned
9 lot in the middle of a C-2 area to be consistent
10 with the surrounding parcels which are all zoned
11 C-2.

12 MR. ROREM: Why now?

13 MR. CROSS: Well, we have had some cases
14 that we have looked at that's -- that actually
15 gives us the -- made us identify that lot and say,
16 you know, it's too close for comfort.

17 Quite honestly, when you look at the
18 Medical Marijuana Cultivation Center, there are
19 guidelines that says it has to be a certain
20 distance from any residentially-zoned lots. This
21 is getting pretty close. So this is just a safety

1 measure as well.

2 MS. COWHIG: You might describe this
3 unspot zoning.

4 MR. CROSS: Yes.

5 MR. ROREM: Spot removed.

6 MS. COWHIG: And is Mr. O'Connor the
7 current owner?

8 MR. CROSS: He is.

9 MS. COWHIG: And he is in support of the
10 petition?

11 MR. CROSS: Yes, he is. And he's not
12 here, quite honestly, because he was out of town.

13 And he asked, well, do I need to be
14 here?

15 I said, well, we're really wanting
16 this rezoned, I said. You know, I was -- by the
17 staff's choice that we represent them as their
18 authorized applicant.

19 MS. TERRILL: Okay. I make a motion in
20 the Case of PB14 --

21 MS. FRANKE: In the case of -- so that

1 you don't have to do all of them.

2 In the case of PB14-13, application
3 by Ron O'Connor, the City of Kankakee to rezone
4 the property commonly known as 3182 South State
5 Route 45/52 from R-1 single-family home
6 residential to C-2 service commercial, I make a
7 motion that we recommend to the city council to
8 make this change as a map amendment to insure a
9 consistent trend of development within a
10 commercially identified target area. This is --
11 proposed map amendment would be consistent with
12 the spirit, purpose, and intent of the ordinance.
13 It is consistent with the goals and objectives and
14 policies of the City's official comprehensive
15 plan. It is noted that infrastructure would be
16 handled by the City of Kankakee.

17 The proposed map amendment is
18 compatible with the existing uses which are C-2
19 commercial, and it is suitable for the uses
20 permitted under the existing zoning classification
21 addressing that need for the said map amendment

1 and the trend of development in that area, as has
2 been stated, is a targeted commercial area.

3 MS. COWHIG: Would you just hold that
4 thought for just one second while I say -- I
5 should have said does anyone in the audience have
6 any comments to make?

7 MR. MAREK: No.

8 MS. COWHIG: Is there a second then?

9 MR. ROREM: Second.

10 MS. COWHIG: The motion is by
11 Miss Franke to recommend approval of the proposed
12 building amendment and seconded by Mr. Rorem.

13 Any further discussion?

14 Would you call the roll, please.

15 MR. CROSS: Yes. Be happy to.

16 MS. COWHIG: A yes vote is to approve the
17 request.

18 MR. CROSS: Edwin Eckhardt?

19 MR. ECKHARDT: Yes.

20 MR. CROSS: Carol Franke?

21 MS. FRANKE: Yes.

1 MR. CROSS: Marsha Lloyd? Berry
2 McCracken? Debra Terrill?

3 MS. TERRILL: Yes.

4 MR. CROSS: Chip Rorem?

5 MR. ROREM: Yes.

6 MR. CROSS: Willie Ames?

7 MR. AMES: Yes.

8 MR. CROSS: Loretto Cowhig?

9 MS. COWHIG: Yes.

10 MR. CROSS: Motion carries. Thank you.

11 MS. COWHIG: All right. I don't think we
12 have any other business.

13 So unless you hear otherwise, count
14 on meeting next Tuesday.

15 Thank you all for coming for a
16 special meeting.

17 We are adjourned.

18 (Those were all the proceedings
19 had.)
20
21

1 STATE OF ILLINOIS)
2)
COUNTY OF W I L L)

3
4 I, DIANA DEBRA SABO, CSR, do hereby
5 certify that I am a court reporter doing business
6 in the State of Illinois, County of Will; that I
7 reported in shorthand the proceedings at the given
8 hearing held on September 9 of 2014 and that the
9 foregoing is a true and correct transcript of my
10 shorthand notes so taken as aforesaid.

11
12
13 *Diana Debra Sabo*
14 Certified Shorthand Reporter
Notary Public
Will County, Illinois



20 My notary commission expires:
21 April 21, 2017.

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